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REFS: A) PARIS 22291 (NOTAL); B) STATE 229329 (NOTAL);
C) PARIS 27302 (NOTAL); D) PARIS 27341 (NOTAL);
E) PARIS 27666 (NOTAL); F) PARIS 26603 (NOTAL)

1.(C) SUMMARY: THIS TELEGRAM REPORTS THE STATUS OF
KEY ISSUES AND CASES WHICH WILL ARISE AT THE 100TH
SESSION OF THE COMMITTEE ON CONVENTIONS AND RECOMMENDA-
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TIONS COMMENCING SEPTEMBER 10. IT DEALS, INTER ALIA,

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WI... THE FOLLOWING TOPICS: "QUESTIONS" (REQUIRING PUBLIC DISCUSSION), INCLUDING PENDING CASES INVOLVING ARGENTINA, CHILE AND ISRAEL; APPLICATION OF NEW PROCEDURES TO OLD CASES; MISSING PERSONS PROCEDURES; A POSSIBLE CR MISSION TO ARGENTINA; TWO CASES AGAINST URUGUAY WHERE US SUPPORT IS SOUGHT; CASES AGAINST THE SOVIET UNION. INSTRUCTIONS ARE REQUESTED ON VARIOUS MATTERS RAISED BY THE SECRETARIAT IN CONSULTATIONS ON SEPTEMBER 3. END SUMMARY.

2. (C) UPON COMPLETION OF OUR OWN ANALYSIS OF ALL HUMAN RIGHTS CASES REPORTED IN REPS D, E AND F, PERMREPS DISCUSSED ALL CASES PENDING EXCEPT SIX NEW CASES JUST RECEIVED (TRANSMITTED BY SEPTEL) WITH THE COMPETENT SECRETARIAT OFFICIAL (SOURCE) ON SEPTEMBER 3. THIS FOLLOWS A REPORT OF THE DISCUSSION, SPECIFIC RECOMMENDATIONS FOR US SUPPORT FOR SELECTED CASES AND SOME SECRETARIAT PROPOSALS AND SOME COMMENTS AND RECOMMENDATIONS.

3. (C) HOW TO DEAL WITH "QUESTIONS":
THE DEPT WILL RECALL THAT THE CR CHOSE NOT TO ADDRESS THIS ISSUE AT ITS LAST SESSION. CONSIDERING THE NUMBER OF POTENTIAL "QUESTIONS" NOW PENDING, IN PARTICULAR ON 25/70 (HUMAN RIGHTS SITUATION IN CHILE) WHICH HAS BEEN CLAIMED ADMISSIBLE AT THE 196TH CR SESSION, SOURCE DOES NOT SEE HOW THE CR CAN AVOID THE ISSUE AT THIS SESSION. QUERIED ABOUT HOW THE CR MIGHT DECIDE TO DEAL WITH "QUESTIONS", SOURCE RUMINATED THAT ONE POSSIBILITY MIGHT BE TO PROCEED WITH PUBLIC EXAM DISCUSSION OF THE CASE FOLLOWING PRIVATE DISCUSSION IN THE CR. ON THE OTHER HAND, CR MEMBERS MAY SEEK TO AVOID PUBLIC DISCUSSION BY READING THE LANGUAGE OF PARA 18 OF 19TH EXTRAORDINARY [illegible] BROADLY. THE PHRASE THAT QUESTIONS "SHOULD BE CONSIDERED
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BY THE EXECUTIVE BOARD AND GENERAL CONFERENCE IN PUBLIC MEETINGS" MIGHT BE CONSTRUED TO GIVE THE CR DISCRETION NOT TO MAKE SUCH A RECOMMENDATION IN EVERY CASE. PERMDEL SEES NO BASIS FOR THIS INTERPRETATION. ANOTHER POSSIBILITY IS FOR THE CR TO DECIDE A COMMUNICATION CONSTITUTES A QUESTION BUT THAT THE CR SHOULD HAVE TIME TO IMPLEMENT PROCEDURES WITH RESPECT TO INVOLVING SECRETARIAT'S AND CR'S GOOD OFFICES PRIOR TO ANY PUBLIC DISCUSSION AND KEEP IT IN THE CR FOR A FEW SESSIONS. SO ADDED THAT FURTHER POSTPONEMENT OF THE PROCEDURAL

ISSUE OF HOW TO DEAL WITH QUESTIONS WOULD UNDERMINE THE NEW PROCEDURES. IN RESPONSE TO SOURCE'S QUERY ABOUT POSSIBLE USG VIEWS, PERMOFF STATED THAT WE ARE APPROACHING THE MATTER CAUTIOUSLY BUT DID NOT YET HAVE INSTRUCTIONS.

4. (C) THE FOLLOWING CASES ARE POTENTIAL QUESTIONS:
-- 25/78, HUMAN RIGHTS SITUATION IN CHILE.
-- 12/78, PALESTINE HUMAN RIGHTS COMMITTEE AGAINST ISRAEL
-- 104/79, VIOLATIONS OF HUMAN RIGHTS IN ARGENTINA.

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5. (C) CONCERNING NO. 12/78, PALESTINE HUMAN RIGHTS COMMITTEE AGAINST ISRAEL, SOURCE SAID THAT IN RESPONSE *TO THE 107 CR'S REQUEST THE SECRETARIAT HAD PREPARED A* MORE DETAILED ANALYSIS OF THE DOCUMENTS WHICH THE PALES-
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TINE RIGHTS COMMITTEE HAS SUBMITTED (TOTALING OVER 500 PAGES, MOSTLY FLIERS NOT PREPARED SPECIFICALLY FOR

UNESCO). THE SECRETARIAT WROTE TO AUTHOR IN JULY SEEKING THIS APPROVAL OF ITS SUMMARY, BUT HAS HAD NO REPLY TO DATE. SOURCE ANTICIPATES THAT SUCH APPROVAL WILL BE RECEIVED AND THAT THE COMMUNICATION WILL THEREFORE BE READY FOR DISCUSSION IN THE CR. IN A SEPARATE CONVERSATION, SUDAN PERMDELOFF HAMAD INFORMED US THAT HE WOULD NOT BE PUSHING THIS CASE IN THE CR THIS SESSION AS THE PLO OBSERVER TO UNESCO DID NOT SEEM INTERESTED IN PURSUING IT AT PRESENT.

6. (C) APPLICATION OF NEW PROCEDURES TO OLD CASES. SOURCE IS OPTIMISTIC THAT THE SECRETARIAT'S SUGGESTION THAT THE NEW PROCEDURES BE APPLIED TO THE CASE PENDING UNDER THE OLD PROCEDURES (REF C) WILL BE ACCEPTED. HE SAID THAT DIRECTOR OF THE DIVISION OF HUMAN RIGHTS AND PEACE VASAK WOULD BE GOING TO VENEZUELA THIS WEEK (SEPTEMBER 3) TO SEEK SUPPORT FOR SUCH A DECISION FROM THE CR CHAIRMAN ARTURO USLAR-PIETRI (VENEZUELAN REP ON THE CR). SOURCE NOTED THAT A SPECIFIC REQUEST HAS BEEN MADE ON BEHALF OF MIGUEL ANGEL ESTRELLA TO HAVE THIS CASE CONSIDERED UNDER THE NEW PROCEDURES.

7. (C) WHAT HAPPENS WHEN THE AUTHOR OF A COMMUNICATION DOES NOT REPLY TO A REQUEST FOR ADDITIONAL INFORMATION? SOURCE INFORMED US THAT VASAK WILL PROPOSE THAT SUCH A CASE BE DROPPED IN THE ABSENCE OF A REPLY TO TWO SUCH CR REQUESTS. THIS PROCEDURE WOULD SPAN TWO CR SESSIONS.

8. (C) MISSION PERSONS PROCEDURES:
SOURCE SAID THE DRAFT MISSING PERSON PROCEDURES WOULD BE BROUGHT UP EARLY IN THE CR SESSION. NOTING THE LANGUAGE
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IN UN HUMAN RIGHTS DIVISION VAN BOVEN'S LETTER CONCERNING GA RES 33/173 ON MISSING PERSONS. SOURCE SAID THAT SOME CR MEMBERS MIGHT CONSTRUE THAT TO REQUIRE MORE ACTION OF UNESCO THAN CONTEMPLATED IN THE SECRETARIAT'S DRAFT DECISION (REF C). DRAFT CALLS ON UNESCO TO REQUEST GOVTS TO DEVOTE APPROPRIATE RESOURCES TO SEARCH FOR MISSING PERSONS.) VAN BOVEN'S LETTER SAYS THAT "IN PARA 4 OF (THE) RES THE SYG IS REQUESTED TO DRAW THE CONCERNS EXPERESSED IN IT TO THE ATTENTION OF ALL GOVERNMENTS, REGIONAL AND INTERREGIONAL ORGS AND SPECIALIZED AGENCIES FOR THE PURPOSE OF CONVEYING ON AN

URGENT BASIS THE NEED FOR DISINTERESTED HUMANITARIAN ACTION TO RESPONSE TO THE SITUATION OF PERSONS WHO HAVE DISAPPEARED."

9. (C) POSSIBLE CR MISSION.
SOURCE ASKED US AT VASAK'S REQUEST TO CONSIDER US SUPPORT FOR SENDING A CR MISSION, COMPOSED OF ONE OR SEVERAL CR MEMBERS, TO ARGENTINA TO INVESTIGATE MISSING PERSONS CASES. HE NOTED THAT THE CR HAD ALREADY DECLARED ADMISSIBLE 6 CASES DEALING WITH MISSING PERSONS IN ARGENTINA. DELOFFS PROMISED TO SEEK INSTRUCTIONS. IN RESPONSE TO OUR QUERY SOURCE NOTED THAT THERE WERE POSSIBLE PRECEDENTS FOR SUCH A MISSION:
-- SECRETARIAT MISSION TO CHILE AND THE OCCUPIED TERRITORIES, AND
-- AN EXBD MISSION TO RUMANIA TO LOOK INTO THE CASE OF A ROMANIAN SECRETARIAT OFFICIAL.

10. (C) CASE OF MIGUEL ANGEL ESTRELLA AGAINST URUGUAY.
SOURCE SAID VASAK REQUESTED USG SUPPORT ON THIS CASE. THE REPLY TO THE SECRETARIAT'S LATEST REQUEST FOR FURTHER INFORMATION CAME FROM SOMEONE OTHER THAN THE AUTHOR OF THE COMMUNICATION, IN THIS CASE A COMMITTEE SEEKING ESTRELLA'S RELEASE. VASAK IS CONCERNED THAT THIS MAY PROVIDE GROUNDS FOR THE GOU TO OPPOSE CONSI-
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DERATION OF THE REPLY AND OPPOSE OR, AT LEAST, POSTPONE CONSIDERATION OF THE CASE.

11. (C) NO. 103/79. JOSE LUIS MASSERA AGAINST URUGUAY. HERE TOO, SOURCE FORSEES PROCEDURAL DIFFICULTIES AND REQUESTS US SUPPORT. IN RESPONSE TO THE SECRETARIAT'S REQUEST TO THE AUTHOR OF THE COMMUNICATION FOR FURTHER *INFORMATION, VASAK RECEIVED A REPLY FROM A MEMBER OF THE* FRENCH ACADEMY OF SCIENCE WHO LOOKED INTO THE MATTER FOR THE COMMITTEE WORKING FOR MASSERA'S RELEASE. AGAIN,

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VASAK IS CONCERNED THAT THE GOU MAY OBJECT BECAUSE THE *INFORMATION IS PROVIDED BY SOMEONE OTHER THAN THE* AUTHOR. DELOFF PROMISED TO SEEK INSTRUCTIONS ON BOTH CASES.

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12. (C) NO. 37/78, CASE OF NOMADIC GYPSIES AGAINST UK. STATING THAT THE MINISTRY CONCERNED HAS COME A LONG WAY

TO SATISFY THE AUTHOR'S CONCERNS AND THAT HE OBTAINED FIRM ASSURANCES THAT THE GYPSY CHILDREN WILL BE ADMITTED *TO SCHOOL. THE AUTHOR OF THE COMMUNICATION HAS REQUESTED* THAT IT BE WITHDRAWN. SOURCE INFORMED US, HOWEVER, THAT VASAK BELIEVES IT IS FOR THE CR TO MAKE SUCH A DETERMINATION AND NOT THE AUTHOR. PERMDEL HAS SOME DOUBTS ABOUT THIS VIEW AND CONSIDERS IT MORE APPROPRIATE THAT THE QUESTIONOF WHETHER TO WITHDRAW A COMPLAINT OR NOT SHOULD REST WITH THE AUTHOR. THE CASE IS OF FURTHER INTEREST BECAUSE OF THE SERIOUSNESS WITH WHICH HMG APPARENTLY ADDRESSED THE ISSUE AND THE THOROUGH AND COMPREHENSIVE RESPONSES WHICH IT PROVIDED.

13. (C) CASES AGAINST THE SOVIET UNION.
AS OF NOW THERE ARE THREE CASES CONCERNING THE SOVIET: NO. 21/78, ORLOV, KOVALEV, GINZBOURG ET AL; NO. 132/79, MIKHAILOV; AND NO. 149/79, ROSTROPOVICH AND VICHNEVSKAYA. THESE CASES WILL BE PARTICULARLY INTERESTING CONSIDERING THE CR'S MANIFEST RELUCTANCE TO TAKE ON THE USSR AT ITS 107TH SESSION. IN NO. 21/78, THERE HAS NOT YET BEEN ANY REPLY TO THE SECRETARIAT'S JULY REQUEST FOR FURTHER INFORMATION. NOS. 132/79 AND 149/79 BOTH APPEAR *TO BE ADMISSIBLE TO US.*

14. (C) MEETING WITH VASAK.
SOURCE REQUESTED THAT DELOFFS MEET WITH VASAK ON FRIDAY, FOLLOWING HIS RETURN FROM CARACAS, TO DISCUSS AN UNIDENTIFIED PROCEDURAL ISSUE.

15. (U) ADDRESSEES ARE REMINDED OF THE CONFIDENTIAL NATURE OF CR HUMAN RIGHTS PROCEEDINGS.
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16. (U) ACTION REQUESTED: DEPT IS REQUESTED TO PROVIDE GUIDANCE CONCERNING ITEMS RAISED IN FOLLOWING PARAS: 3, 7, 8, 9, 10, 11 AND 12. ALSO, THE WRITTEN REPLY *TO THE VACHEL LINDSAY CASE AGAINST THE US IS REQUIRED* URGENTLY IF IT IS TO BE DISTRIBUTED DURING THE CR MEETING WHEN IT WOULD HAVE MAXIMUM IMPACT.
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